

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE

In re:
JAMES ERNEST FORTNER
Debtor(s)

Chapter 13

Case No. 04-23862-D

NOTICE OF HEARING

The Chapter 13 Trustee's Motion for Mortgage Company to Show Cause Why Their Records Should Not Reflect That the Debtor's Mortgage Is Now Current having been filed by George W. Stevenson on August 13, 2009.

NOTICE IS HEREBY GIVEN THAT:

The Chapter 13 Trustee's Motion for Mortgage Company to Show Cause Why Their Records Should Not Reflect That the Debtor's Mortgage Is Now Current shall be held on 9/8/2009, at 9:00 am in the United States Bankruptcy Court, Room 600, 200 Jefferson Avenue, Memphis, Tennessee, 38103.

Debtors should contact their attorney to see if their attendance is necessary. This hearing may be continued or adjourned from time to time by oral announcement (at the hearing) of the continued or adjourned date and time, without further written notice.

/s/George W. Stevenson
CHAPTER 13 TRUSTEE

TRUSTEE'S MOTION FOR MORTGAGE COMPANY TO SHOW CAUSE WHY THEIR RECORDS SHOULD NOT
REFLECT THAT THE DEBTOR'S MORTGAGE IS NOW CURRENT

Comes now your Standing 13 Trustee who would show the Court the following for which relief is sought:

1. That the above-referenced Chapter 13 debtor's case is nearing completion.
2. That the debtor's plan as confirmed provided that the trustee cure VANDERBILT MORTGAGE claim for arrearage and serve as disbursing agent for post-petition ongoing mortgage payments.
3. That your trustee reasonably believes that he has now paid the arrearage claim in full and has made all post-petition ongoing mortgage payments.
4. That VANDERBILT MORTGAGE should appear and show cause, if any, why their accounting records should not show that the mortgage is now current and if it is not current then show the court what charges are outstanding.

PREMISES CONSIDERED, your Trustee prays:

1. That the matter be set for hearing.
2. That VANDERBILT MORTGAGE appear and show cause, if any, why their records should not reflect that the debtor's mortgage is now current.
3. That the Trustee be granted such other and further relief to which he may be entitled.

/S/ George W. Stevenson
CHAPTER 13 TRUSTEE

CC: CHAPTER 13 TRUSTEE
NS

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